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26. (Unclassified - JEC) LEGISLATION Called John Seibert, Department of Justice, to double check on the application of the proposed amendments to the Federal Tort Claims Act to constitutional torts committed overseas. He said the proposed amendments would apply because the exemption contained in section 2680 does not apply to constitutional torts. On the subject of disciplinary hearings, he said that the FBI objected to Civil Service Commission review of decisions. He added that the new language which had been drafted did away with de novo review of disciplinary decisions. The reviewing body may look at the administrative record or may remand for a better record. Further, the reviewing body may increase a penalty if they find it unreasonable but may not decrease the penalty.

27. (Unclassified - JEC) LEGISLATION Received a call from Hilda Schreiber, OMB, who said that the Civil Service Commission called her for a copy of our revised views on the Civil Service Reform bill. She said OMB had not received a copy and wanted to know what exactly was going on. I told her the person at the Civil Service Commission had misunderstood and that our letter was only going out to OMB today. She promised to forward a copy to CSC as soon as she received it. STAT


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